FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 9706 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. M.V. Sali and Arun Palekar for Petitioner.

CORAM : F.I. REBELLO,J.
DATED : JANUARY 17, 2005

P.C.

. For the view to be taken notice to respondents dispensed with.

. The suit was filed in the year 1978. By order dated 24.8.2004 plaint has been rejected on the ground that the property has not been properly described. IN my opinion the Plaintiff/Petitioner ought to have been given an opportunity to amend the plaint to give particulars if that was not done. Considering the above, the impugned order dated 24.8.2004 is set aside. The matter is remanded back to the trial court to enable the petitioners herein to apply for amendment of the plaint and after

hearing he parties, to pass order according to Law.

. If the respondents are still aggrieved by this order, it will be open to them to apply to this court for recall of the order. Petitioner to serve copy of this order on the Respondents.

. P.A. to issue authenticated copy of this order.

(F.I. REBELLO,J.)